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6 | Attorneys for Defendant: JAMIE HARMON

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

UNITED STATES OF AMERICA

CASE NO. 08-00938 LHK

Plaintiff,

VS.

JAMIE HARMON.

Defendant.

**PARTIE'S STIPULATION AND
REQUEST TO RESCHEDULE MARCH
13, 2013 STATUS CONFERENCE TO
MAY 8, 2013**

JAMIE HARMON,

The United States of America, by and through Assistant United States Attorney Richard Cheng, and Jamie Harmon, by and through her counsel Edward W. Swanson, hereby submit this stipulated request to move the status conference currently scheduled for March 13, 2013 at 9:00 a.m., to May 13, 2013 at 9:00 a.m. The parties agree and stipulate as follows:

(1) On September 23, 2011, the United States filed a Notice of Appeal of this Court's order on Harmon's new trial motion;

(2) The Ninth Circuit Court of Appeals issued a briefing scheduling and the parties subsequently briefed the issues on appeal;

(3) On February 12, 2013, the parties appeared before the Ninth Circuit for oral argument;

1 (4) The case has been submitted and is currently under consideration by the Ninth
2 Circuit;

3 (5) In light of the status of the appeal, and subject to the availability and approval by
4 this Court, the parties request that the March 13, 2013, status conference be rescheduled to May 8,
5 2103.

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7 IT IS SO STIPULATED.

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9 DATED: March 11, 2013

/s/

10 Richard Cheng
Assistant United States Attorney

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DATED: March 11, 2013

/s/

13 Edward W. Swanson
SWANSON & McNAMARA LLP
14 Attorneys for JAMIE HARMON

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

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DATED: 3/12/13

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HON. Lucy H. Koh
United States District Court Judge

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